



State of Arizona Acupuncture Board of Examiners

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REGULAR MEETING

January 25, 2012

OPEN SESSION MINUTES

Members of the Arizona Acupuncture Board of Examiners met at 1:00 p.m. on Wednesday, January 25, 2012, at 1400 West Washington, Conference Room B-1, Phoenix, Arizona.

Board Members Present:

Toni Bernalley, L.AC., Chairperson
Ross Adelman, Consumer Member
Maureen Bronson, Consumer Member
Woohyung Cho, L.AC., Professional Member
Christopher M. Clair, Consumer Member
Dianne Darcy, L.AC., Professional Member
Robert L. Gear, NMD, DC, Professional Member
Patricia E. Martin, L.AC., Professional Member
Alan H. Scott, DO, Professional Member

Administrative Staff:

Pete Gonzalez, Executive Director

Attorney General Representative:

Marc Harris, Assistant Attorney General

Call to Order

Chairperson Bernalley called the meeting to order at 1:04 p.m.

The following order of business was then considered:

Introduction of New Board Member: Alan Scott

The Board welcomed Dr. Alan Scott, DO and congratulated him on his appointment.

Declaration of Conflicts of Interest

Board Member Bernalley declared a conflict of interest on Agenda Item 7- Consideration of Auricular Acupuncture Training Program, Agenda Item 8- Complaint #2012-08 re: Jing Liu and Agenda Item 9 (I)-License Application for Kimberly A. Olson-McMaster.

Board Member Adelman declared a conflict of interest on Agenda Item 9 (B) - License Application for Teresa M. Geissler and Agenda Item 9 (J) - License Application for Karreen N. Martin.

Board Member Bronson declared a conflict of interest on Agenda Item 8 - Complaint #2012-08 re: Jing Liu.

Discussion and Approval of Minutes

Board Member Bronson moved the adoption of the minutes for the December 5, 2011 regular board meeting with Board Member Adelman providing a second. The motion carried by unanimous vote: 8-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X		Aye
									Nay
									Recused
								X	Abstained
									Absent

Professional Business

Discussion of Procedures for Election of Board Officers
No action was taken on this agenda item.

Election of Board Chairperson pursuant to A.R.S. §32-3902(D)

Board Member Bronson moved for Board Member Adelman to serve as Board Chairman with Board Member Bernalley providing a second. The motion carried by unanimous vote: 8-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
X									Abstained
									Absent

Election of Board Secretary pursuant to A.R.S. §32-3902(D)

Board Member Adelman moved for Board Member Martin to serve as Board Secretary and Board Member Bennalley nominated herself.

Each board member presented their personal qualifications for the position of Secretary.

The Board Members voting for Board Member Martin are as follows:

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X			X	X			X		Aye
									Nay
									Recused
									Abstained
									Absent

The Board Members voting for Board Member Bennalley are as follows:

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
	X	X			X	X		X	Aye
									Nay
									Recused
									Abstained
									Absent

By a vote of five votes for Board Member Bennalley and four votes for Board Member Martin, Board Member Bennalley was elected Board Secretary for 2012.

Review and Adoption of 2012 Fees pursuant to A.R.S. §32-3927

Board Member Adelman moved for the adoption of the 2012 Fees with Board Member Scott providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

Board Member Adelman assumed the Chairmanship.

Applications for Licensure (without self disclosures)

The Board reviewed the license applicant chart and Board Member Bronson moved for the approval of the applicants for licensure listed below with Board Member Bernalley providing a second. The motion carried by unanimous vote: 9-0.

Jill E. Storch-Tolentino
 Jennifer L. Parks
 Kristina M. Sherman
 Shuyuan Hong
 Daljit S. Sachdev
 Jamie M. Szybala
 Rebecca A. Coatsworth

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

The Board reviewed the license applicant chart and Board Member Bronson moved for the approval of the applicants for licensure listed below with Board Member Martin providing a second. The motion carried by unanimous vote: 8-0.

Teresa M. Geissler
 Karreen N. Martin

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
	X	X	X	X	X	X	X	X	Aye
									Nay
X									Recused
									Abstained
									Absent

The Board reviewed the license applicant chart and Board Member Bronson moved for the approval of the applicant for licensure listed below with Board Member Clair providing a second. The motion carried by unanimous vote: 8-0.

Kimberly A. Olson-McMaster

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X		X	X	X	X	X	X	X	Aye
									Nay
	X								Recused
									Abstained
									Absent

Applications for Auricular Certificate (without self disclosures)

The Board reviewed the license applicant chart and Board Member Bronson moved for the approval of the applicants for certification listed below with Board Member Martin providing a second. The motion carried by unanimous vote: 9-0.

Robyn M. Snyder
Sarai S. Darbandi

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

Other Applications/ Requests - Continuing Education

“Keys to the Kingdom: How Everything in the Body is Connected to Everything Else” provided by Mary J. Rogel, Ph.D., L.Ac. for 15 hours on February 4 & 5 and 7 hours for February 6 in Phoenix, Arizona.

The Board reviewed the application and Board Member Bronson moved for the approval of the application with Board Member Bennalley providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Core Formulas in Chinese Herbal Medicine: The Surest and Easiest Way to Understand Chinese Herbal Formulas” provided by Joseph Garner, L.AC. for 15 hours on February 18-19, 2012 in Phoenix, Arizona.

The Board reviewed the application and Board Member Bennalley moved for the approval of the application with Board Member Martin providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Introduction to Traditional Chinese Medicine” provided by Qingsong Xiao, L.AC. for 8 hours on January 14 and November 2, 2012 in Scottsdale, Arizona.

After some discussion, the provider withdrew this application.

“Theory and Practice of Bian Stone Therapy I” provided by Qingsong Xiao, L.AC. for 8 hours on January 15, March 24, July 21, and November 3, 2012 in Scottsdale, Arizona.

The Board reviewed the application and Board Member Bennalley moved for the approval of the application with Board Member Darcy providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Theory and Practice of Bian Stone Therapy II” provided by Qingsong Xiao for 8 hours on January 16, March 25, July 22, and November 4, 2012 in Scottsdale, Arizona. The course will also be taught in Beijing, China on April 22, May 19, September 22, and October 20, 2012.

The Board reviewed the application and Board Member Bronson moved for the approval of the application with Board Member Clair providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Theory and Practice of Qi Gong—Level 1” provided by Qingsong Xiao, L.AC. for 8 hours on March 11 and December 9, 2012 in Scottsdale, Arizona.

The Board reviewed the application and Board Member Bernalley moved for the approval of the application with Board Member Martin providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Theory and Practice of Qi Gong—Level II” provided by Qingsong Xiao, L.AC. for 8 hours on June 10, 2012 in Scottsdale, Arizona.

The Board reviewed the application and Board Member Bronson moved for the approval of the application with Board Member Clair providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Theory and Practice of Reiki Healing—Level 1” provided by Tara Hoffman for 8 hours on March 10 and December 8, 2012 in Scottsdale, Arizona.

The Board reviewed the application and Board Member Bernalley moved for the approval of the application with Board Member Bronson providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bernalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Theory and Practice of Reiki Healing—Level II” provided by Tara Hoffman for 8 hours on June 9, 2012 in Scottsdale, Arizona.

The Board reviewed the application and Board Member Bronson moved for the approval of the application with Board Member Bernalley providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

“Theory and Practice of Acupuncture Magnet Therapy—Level 1” provided by Qingsong Xiao, L.AC. for 8 hours on February 18 and June 23, 2012 in Scottsdale, Arizona.

“Theory and Practice of Acupuncture Magnet Therapy—Level II” provided by Qingsong Xiao, L.AC. for 8 hours on February 19 and June 24, 2012 in Scottsdale, Arizona.

After some discussion, the Board tabled these applications.

Discussion and Possible Adoption of Position Statement/Substantive Policy Statement on Dry Needling

Board Member Adelman moved the Board to move into executive session to seek legal advice with Board Member Bennalley providing a second. The motion passed by a vote of 9-0. The Board entered executive session at 2:16 p.m. and returned to regular session at 2:41 p.m.

Board Member Adelman moved to continue the review and work on the statement for future adoption and meet with the Physical Therapy board with a second provided by Board Member Scott. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

Consideration of Auricular Acupuncture Training Program

The Board reviewed the Auricular Acupuncture Training Program as submitted by the Phoenix Institute of Herbal Medicine and Acupuncture: Board Member Cho moved for the approval of the application with Board Member Darcy providing a second. The motion carried by unanimous vote: 8-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X		X	X	X	X	X	X	X	Aye
									Nay
	X								Recused
									Abstained
									Absent

Complaints/Investigations

Complaint #2012-07 (Unlicensed to Practice) re: Henry Ojeniyi—Natural Health Works Clinic

Executive Director Gonzalez explained the memo prepared for the Board which provides a chronological review of what has taken place to date on this complaint.

The Board received information that Mr. Henry Ojeniyi is practicing acupuncture without a license.

Two letters have been sent to Mr. Ojeniyi asking him to explain the situation, but no response has been received.

According to board records, Mr. Ojeniyi applied for an acupuncture license in 2000, but was denied since he did not meet the requirements and was unable to produce school transcripts to demonstrate a completion of an acupuncture program.

Board Member Gear moved to forward this complaint to the Attorney General or County Attorney to seek injunction against Mr. Ojeniyi as set forth in state law with Board Member Scott providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

Complaint #2012-08 (Unprofessional Conduct) re: Jing Liu, L.AC.

Executive Director Gonzalez provided a chronological review of what has taken place to date on this complaint. A copy of the recorder’s transcripts of the proceedings regarding this complaint is found at the Board office for review.

Board Member Gear moved to dismiss this complaint with Board Member Clair providing a second. The motion carried by unanimous vote: 7-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X			X	X	X	X	X	X	Aye
									Nay
	X	X							Recused
									Abstained
									Absent

Complaint #2012-09(Outside of Scope) re: Puquan Xiao, L.AC.

Executive Director Gonzalez provided a chronological review of what has taken place to date on this complaint. A copy of the recorder’s transcripts of the proceedings regarding this complaint is found at the Board office for review.

Board Member Bronson moved to dismiss this complaint with Board Member Martin providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

Complaint #2012-10(Outside of Scope) re: Qingsong Xiao, L.AC.

Executive Director Gonzalez provided a chronological review of what has taken place to date on this complaint. A copy of the recorder’s transcripts of the proceedings regarding this complaint is found at the Board office for review.

Board Member Bronson moved to dismiss this complaint with Board Member Martin providing a second. The motion carried by unanimous vote: 9-0.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X	X	X	X	X	X	X	X	Aye
									Nay
									Recused
									Abstained
									Absent

Executive Director Report

License and Certificate Status Report:

Active Licensed Acupuncturists: 507

Expired Licenses: 11

Active Certified Auricular Acupuncturists: 48

Board Office Information/Activities:

- Pursuant to Arizona Revised Statutes §32-3925 (B), license and certificate renewal notices for February 2012 licensees were prepared and sent. In addition, expired license and certificate letters for the month of December 2011 were sent.
- Completed and submitted the department-wide customer satisfaction survey as required by the Arizona Department of Administration.
- Met with the Governor's Policy Advisor on Regulatory Affairs, Don Hughes, regarding the dry needling issue.
- Submitted the public body (Board) biennial lobbyist registration for 2012-2013 to the Office of the Secretary of State.
- Completed and submitted the lobbyist quarterly and annual report to the Office of the Secretary of State.
- Completed and submitted the 2011 Small Agency Equal Employment Opportunity Report to the Governor's Office of Equal Opportunity.

State Budget

- The Governor has recommended the full appropriations requested by the Board for fiscal year 2013 which begins on July 1, 2012. Copy of recommendation is provided at this time.

Future Meeting Dates

February 22, 2012

March 28, 2012

April 25, 2012 (Tucson)

Call to the Public

No requests were submitted.

Discussion of Items to be place on a future meeting agenda

- Dry Needling
- Strategic Plan
- Legislative Committee

Adjournment

Board Member Martin moved for adjournment and Board Member Gear provided a second. The motion carried by unanimous vote: 8-0. The Board adjourned at 4:05 p.m.

Adelman	Bennalley	Bronson	Cho	Clair	Darcy	Gear	Martin	Scott	Vote
X	X		X	X	X	X	X	X	
									Nay
									Recused
									Abstained
		X							Absent

Respectfully Submitted,



Pete Gonzalez
Executive Director

Approved by the Board: March 28, 2012